



# NONPOINT SOURCE TIMES

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## Watershed management Plans

What makes a good one? Where are examples of "model" or "innovative" Watershed Management Plans in New England? What makes a plan effective?

On January 6, 2003 an e-mail was sent out to the Northeast Watershed Listserve (428 people) requesting examples and thoughts on the above questions. Here is a summary of the suggestions made by those who responded.

### ***Do "Action" Plans rather than Management Plans***

- Go with "action plans" and adapt them as needed, perhaps to become long term management plans when time is ripe, instead of trying to develop comprehensive, long term management plans (Jan Reitsma)

### ***Keep the scope "local" and get feedback and input from stakeholders***

- Get buy in and feedback from local stakeholders  
Ex. Woonasquatucket published action plan on the internet in survey form as a means of collecting input from a broad audience. This method worked well to gain insights on the plan from many stakeholders, also the Woonasquatucket watershed council did a remarkable job at soliciting input from watershed communities. Plan was developed with a great buy in from local stakeholders. (Jeff Nield, RI DEM)
- The quality of the Action plan is influenced by the organizational maturity of the local watershed group and the quantity/maturity of projects (involving many stakeholders) (Jeff Nield, RI DEM)



## Going Electronic

Thanks to all who have agreed to receive the newsletter electronically saving printing and postage costs for Maine.

A number of you have made some great suggestions on improving the readability of the newsletter in an electronic format. I am still exploring ways to accomplish this and still produce a hard copy version for those who prefer that format without creating 2 completely separate versions. I believe the solution involves completely changing the format which I will have time to do after field season. So I would appreciate your patience for a little longer until I have the time to reformat the NPS Times to fit both electronic and old fashion hard copy additions.

## Inside This Issue

Kettle Cove Project	2
Essential Habitat	3
Watershed News Briefs from Southern Maine	4
North American Lake Management Society	5
Court Ruling Supports Clean Water Act	6
3rd National NPS I & E Conference	7
Those Classy Maine Waters	8
Outcome NPS Grants	11
Calendar and Resources Available	12



(Continued from page 1)

- Plans broken into subwatershed plans to be more user friendly to municipal leaders (Nina Danforth, RI DEM)
- A "bottoms up" information sharing and priority setting methodology worked (Vandana Rao, MA EOEA)
- Having the "local" people setting the priorities, and having a framework and vision from the beginning helped. (Jessica Kaplan, Norwalk River Watershed Initiative)

#### **Emphasize implementation**

- Local group "adopted" the action plan as its own, as a result they are "plugged into" many state and federal watershed management efforts  
Ex. Pawcatuck Watershed Action Plan organized issue based action teams and proceeded to successfully implement a realistic action plan. (Jeff Nield, RI DEM)
- Priorities identified in plans are linked to state grant programs (Vandana Rao, MA EOEA)
- Having a paid coordinator definitely helps with implementation, 70% of the recommendations in the action plan have been implemented in the Norwalk Watershed. (Jessica Kaplan, Norwalk River Watershed Initiative)

## Kettle Cove Project Draws to a Close

The Kettle Cove "Neighborhood" Subwatershed Project, a cooperative effort between the PWD, the USEPA, the Maine DEP, the Town of Casco, and residents of the Cove, has been completed. Kettle Cove is located along the northern shoreline of Sebago Lake, with its subwatershed in the Town of Casco. This four-year project was conceived by PWD staff due to the high-density development, eroding roads, and lack of vegetated buffers in the subwatershed. All of these factors add to the pollutant load of the lake. The goal of the project was to help area residents understand how their daily activities and property may impact water quality, to provide technical assistance and funding to fix problem areas, and to collect baseline water quality data.

Over the course of the project, PWD staff held informational meetings for area residents, and provided environmental education programs to students at the Crooked River School. We also provided technical assistance to forty-three property owners, and oversight and funding for improvements on nineteen sites, including the Kettle Cove Marina. With the assistance of Alice Darlington of the Greenleaf Development, our volunteer monitor, we initiated

a cove-wide water sampling effort. Alice continues to collect lake water samples from May through October, and deliver them to our testing lab for analysis.

Many thanks to the USEPA and Maine DEP, to the Town of Casco, Alice Darlington, Merrill Rollins of the Kettle Cove Marina, and to the rest of the residents of Kettle Cove for helping make this project a grand success. With the knowledge gained over the course of this intensive project, we are able to help bring a higher level of watershed stewardship to other neighborhoods in the Sebago Lake watershed.



Sebago Lakeshore Drive  
Property Owners  
Association  
Shoreline Common Area  
After First Phase of Buffer  
Enhancement  
(September 2000)



## Essential Habitat

### ESSENTIAL HABITAT UPDATE

Areas designated under Maine's Endangered Species Act as "Essential Habitat" have been updated. Over 45 new sites have been added, 16 previously designated sites have been deleted, and 1 has been remapped. Consequently, **all previous versions of the "Atlas of Essential Wildlife Habitats for Maine's Endangered and Threatened Species", as well as all copies of individual maps, forms, and supporting documents, are no longer current.**

### ESSENTIAL HABITAT ONLINE!

Due to funding constraints, we will no longer be producing the Atlas or providing full-size copies of maps depicting Essential Habitats. However, the current Essential Habitat regulation is now accessible on MDIFW's website at [www.mefishwildlife.com](http://www.mefishwildlife.com). A direct link to Essential Habitat can be found at the bottom of the homepage's left-hand side bar.

In addition to the maps and Boundary Line Detail Photos, the Essential Habitat webpages include all of the information formerly found in the Atlas: the rule text, an index to Essential Habitats by town, an outline of the review process, a *Request For Project Evaluation Form*, Issue Profiles, MDIFW contacts, and information on Maine's endangered and threatened species. **You may also sign up to receive automatic email updates for Essential Habitat maps and information.**

For GIS users, Essential Habitat information is also now available for downloading from the Maine Office of GIS at <http://megis.maine.gov/>. Click on the "Data Catalog" link on the right-hand sidebar, choose the "Single" tab, and select the three "eh" files (ehagle, ehplvtrn, and ehrtern) for complete coverage.

We hope the availability of Essential Habitat information via computer will significantly improve your ability to access this information and remain current on rule changes. **Users who do not have computer access will still be able to request hardcopies of maps and supporting documentation.** If you wish to receive map order forms or be notified of updates to Essential Habitat by ground mail, please send your name and mailing address to: Attn: Essential Habitat, Maine Dept. Inland Fisheries and Wildlife, 650 State St., Bangor, ME 04401.

### A REMINDER!

The Maine Endangered Species Act allows for protection of habitats essential to the conservation of endangered and threatened species. Under this provision, over 400 sites throughout Maine are currently designated as "**Essential Habitat**" for bald eagles, roseate terns, piping plovers, and least terns. Knowledge of these sites is important to your agency because state agencies and municipal governments shall not permit, license, fund, or carry out projects that will significantly alter an Essential Habitat or violate protection guidelines adopted by the Department of Inland Fisheries and Wildlife. If there are projects in a mapped area that are under review or being proposed or funded by your agency, please contact the appropriate MDIFW Regional Wildlife Biologist.

**Sign up to receive automatic email notices of updates to Essential Habitat!** Please email your name, agency/affiliation, mailing address, and email address to [essential.habitat@maine.gov](mailto:essential.habitat@maine.gov) with the subject line "ADD TO MAILING LIST".

Designation of Essential Habitat is an ongoing process, where sites may be added, deleted, and/or revised following public rulemaking. As a result, maps and documents will be periodically updated. To be certain the most current versions are consulted, users should reference only those essential habitat maps depicted on the MDIFW or MEGISOR website or hardcopies provided by an MDIFW Regional Office. Users should also be certain to carefully monitor update and version dates.

### Lakeshore Property Values and Water Quality

Bemidji University has released its study of the relationship between property values and water clarity of Minnesota Lakes in the Mississippi Headwaters Region. It shows that water clarity has a positive effect on property prices.

[http://www.co.cass.mn.us/esd/pdfs/mhb\\_bsu\\_study.pdf](http://www.co.cass.mn.us/esd/pdfs/mhb_bsu_study.pdf)



## Watershed News Briefs from Southern Maine

### **Volunteer Organizations Transformed by Hiring Staff –**

Several organizations have recently hired staff to help take their volunteer efforts to a new level.

- Last fall, the **Maine Congress of Lake Associations (COLA)** hired **Maggie Shannon** as their first Executive Director. COLA's Board of Directors has known for some time that they could not possibly deal with all of the issues facing Maine's lakes. They believe that a full-time staff person will help them better serve Maine's lake communities and lead the organization into the future. According to COLA president, Jon Van Bourg, Maggie "will be the eyes, ears and mouth for all Maine lake residents at the legislature. She will also be in charge of COLA fundraising, grant writing, membership and outreach." Maggie has been an active volunteer with several lake protection efforts and is currently serving as the President of the Belgrade Lakes Association. She can be reached at 1-877-254-2511.
- The **Friends of the Royal River (FORR)** hired **Henry Nichols** last winter as the organization's first Executive Director. Over the past ten years, FORR has primarily been doing water quality monitoring of the Royal River and its tributaries. More recently, the organization has refocused its energies and also become a regional land trust. Having a full-time executive director has transformed FORR, allowing it to grow and become more active in looking for and responding to conservation opportunities. They have recently received several conservation easements and are working with partners to develop a regional conservation plan and a Royal River Watershed Youth Conservation Corps. For more information, contact Henry Nichols at 847-9399 or royal@maine.rr.com.
- The **Town of Raymond** recently hired **Noralee Raymond** as a part-time Watershed Coordinator for the Town's seven lakes and ponds. In 2002 the Town of Raymond and local residents raised funds to hire a summer Lake Ranger and start a comprehensive Milfoil prevention program. Additional funds were raised in 2003 to start addressing the pollution threats to Raymond's water bodies. The Watershed Coordinator will lend support to existing watershed survey and mitigation projects in town, provide technical assistance to residents, pursue funding to startup a Youth Conservation Corps program in 2004 and expand watershed protection in the area –

perhaps through a regional nonprofit structured like the Lakes Environmental Association (LEA). Noralee previously served as an AmeriCorps volunteer in the DEP's Watershed Management Division and has experience coordinating volunteer watershed surveys and mitigation projects. For more information, contact Noralee at Noralee.Raymond.00@Alum.Dartmouth.org.

### **Lake Alliances and Networking**

- **Lake Association Directory** – The Maine Congress of Lake Associations (COLA) is working to create a web-based directory of Maine lake associations ([www.mainecola.org](http://www.mainecola.org)). The site will include contact information, a description of major activities and other key information on each of Maine's 180+ lake associations. It is hoped that the Directory will foster better communications and networking between associations and ultimately help strengthen Maine's lake protection community. For more information or to submit lake association information, contact Ben Lubbers (AmeriCorps volunteer with DEP @ 822-6356).
- **Southern Maine Lakes Alliance** – The SME Lakes Alliance plans to hold its next meeting in November. Meetings usually include time for legislative updates and a roundtable discussion where individuals share success stories or discuss common roadblocks. The group met for the first time in the fall of 2002 and has since continued to meet twice a year. Participants have tended to represent lake associations in the Sebago Lake region (Cumberland and Oxford counties), but any groups in Southern Maine are welcome to attend. For more information, contact Peter Lowell at 647-8580 or lakes@megalink.net.
- **Androscoggin Valley Lakes Discussion**—Androscoggin Valley area lake associations are invited to an informal discussion on **November 5<sup>th</sup>**. Phoebe Hardesty of the Androscoggin Valley SWCD will host the meeting (complete with freshly baked pie). The get-together will provide a forum for area associations to share information and discuss common issues. Contact Phoebe at 753-9400 x403 for more information.

### **YCC Programs Working to Protect Water Quality**

Several Youth Conservation Corps (YCC) programs have sprung up over the past decade to fix erosion problems in Maine's lake watersheds. The first YCC was started on China Lake in 1989. Their successful model has since been adopted in the Belgrade Lakes region, Thompson Lake, Mousam Lake, Highland Lake and the Cobbossee Lake region. Plans are in the works to also start programs in the Sebago Lake and the Royal River Watersheds.

*(Continued on page 5)*



(Continued from page 4)

YCC programs provide local communities with free technical assistance, labor and education to help fix erosion problems. Typically, a technical director oversees all aspects of the program including publicity, hiring and working with landowners to plan projects. Crew leaders supervise five or six-person teams and make sure that projects are installed properly and safely. Local high school students are hired as crew members and work through the summer to plant vegetation, clean out ditches, and install other conservation practices. Landowners cover the cost of construction materials.

The program's success is due, in part, to its tangible, on-the-ground results. A five-person crew can complete at least 20 conservation projects in a summer. Local organizers, landowners and town officials also rave that YCC is an effective tool for raising awareness, energizing communities and inspiring local youth to become environmental leaders. At last year's tour of Highland Lake's YCC projects, Windham Town Manager, Tony Plante, said "This is good for the kids. They get to see the immediate practical benefits. I see this as a model for Forest Pond, Little Duck Pond... These natural resources deserve protection."

The cost to run a summer YCC program is about \$20,000. Many of the Maine's YCC programs were initially funded as part of 319 grant projects. As the grants ended, local communities worked to find local funding to keep the programs going. Most programs are funded with contributions from the towns and lake associations in the watershed. Some towns also donate office and storage space, payroll services and worker's compensation coverage.

Contact the DEP (822-6320) for more information on YCC or to request a copy of the 20-page booklet, "Starting a Local Youth Conservation Corps".

(This news brief was submitted by Wendy Garland of Maine DEP. If you would like more information on any of these projects contact Wendy at 207/822-6320 or [wendy.garland@maine.gov](mailto:wendy.garland@maine.gov)

Maine's NEMO program newsletter is now available on line at:  
[www.mainenemo.org](http://www.mainenemo.org)

## NALMS 2003 Protecting Our Lakes' Legacy

November 4-8, 2003  
Foxwoods Resort  
Mashantucket, Connecticut

In 2003 each of us – individuals, communities, countries and as a global family of concerned citizens – are asked during the **International Year of Freshwater** to "focus our attention on protecting and respecting our water resources." Thus it is particularly appropriate that **NALMS is returning to New England in 2003**, its home waters, to re-connect with old friends and new, and discuss protecting the legacy of our precious and constantly changing and challenged lakes.

How do we integrate sound science and public policy objectives to accomplish long-term social benefits in an era of strained resources? Learn together and share cases of real world projects with citizens, scientists, lawmakers and lake managers. Plan now to participate in NALMS' 23rd International Symposium. The focus is on making a difference! NALMS 2003 will be a unique blending of history and innovation. With the world class Pequot Museum, Mystic Seaport, and Newport's mansions serving as the backdrop for this symposium, we can't help but think about our history, and the legacy that we wish to leave our children and grandchildren...

*[A few highlights: They will be offering sessions on Lake Classification (Dave Courtemanch, Session Chair), Fish Assemblages and Reference Conditions (Dave Halliwell, Session Chair), and Littoral Zone Biocomplexity (Katherine Webster, Session Chair). Also, Dave Halliwell will be co-teaching a Northeastern Fish Assemblage and Identification (Taxonomy) pre-conference workshop on Tuesday, along with Rich Langdon (VT DEC). Importantly, there is a special offer this year called "the Lake and Watershed Steward Package" which is a 2-day (Friday - Saturday) package deal for \$175, which includes Friday conference registration, a full-day of technical sessions (including Lake Class. and Littoral Zone Biocomplexity), a Saturday workshop (1/2 or full day), two lunches, Friday night banquet (world class Pequot Museum site), Saturday breakfast, and four refreshment breaks (not including hotel registration).]*

FMI <http://www.nalms.org/>



## Court Ruling Supports Clean Water Act

*(from an article written by Damon Franz titled Another court ruling supports a far-reaching Clean Water Act)*

For the third time in three months, a federal court has ruled that the U.S. EPA and Army Corps of Engineers can regulate the destruction of wetlands located far from large, interstate waterways as long as there is a course by which water can flow from the wetlands into larger water bodies.

Yesterday, the 6th U.S. Circuit Court of Appeals found a Michigan landowner who filled 50 acres of wetlands on his property guilty of violating the Clean Water Act despite arguments that the wetlands were too far from a "navigable waterway" to fall under the federal law's jurisdiction.

The ruling, which closely follows decisions in the 4th Circuit Court and North Carolina District Court, adds another precedent to a growing body of cases that will determine how far upstream regulators can go in asserting provisions of the CWA. After the Supreme Court ruled two years ago that wetlands with no connection to larger waters do not fall under the law, considerable debate has ensued over what sort of hydrological linkages are necessary for a wetland to receive CWA protection.

Yesterday's decision affirms that wetlands draining into man-made ditches leading to larger waterways fall under the act's protection. While the ruling does not extend CWA jurisdiction beyond a ruling from the 4th Circuit in June, it is significant in that it reinforces the broad federal authority established by that decision and others.

At issue was a 175-acre plot in Bay County, Mich., owned by John Rapanos. In order to make the land more suitable for sale to developers, Rapanos filled wetlands on the property in spite of warnings from the Michigan Department of Resources that a permit was required. Rapanos also destroyed paper evidence that the wetlands existed, according to court records.

In the late 1990s, the Michigan District court found Rapanos in violation and ordered him to pay \$185,000 in damages. But that court overturned its own ruling after the Supreme Court's 2001 decision in *Solid Waste of Northern Cooke County v. Army Corps of Engineers* (SWANCC). In SWANCC, the court ruled that an isolated wetland could not be subject to regulation solely because it was used by migratory birds.

In the high court's opinion, the justices said Congress intended to apply the CWA only to waters that would affect navigable, interstate waterways. For the past two years, lower courts have been sorting out how far upstream from such waters the federal government can regulate.

According to the 6th Circuit Court's written opinion yesterday, CWA jurisdiction is far-reaching. "As commonsense makes clear, the Clean Water Act cannot purport to police only the navigable-in-fact waters in the United States in order to keep those waters clean from pollutants," the three-judge panel wrote. "A pollutant can contaminate non-navigable water and pollute the navigable-in-fact waters downstream."

*(Continued on page 7)*

## Sebasticook River Restoration

The Town of Newport, Maine, in partnership with the Sebasticook River Watershed Association, Kleinschmidt Associates, the Maine Coastal Program, Penobscot Soil and Water Conservation District, and the Natural Resources Conservation Service, will restore 800 feet of a canalized portion of the East Branch Sebasticook River and 6 acres of riparian wetlands. With the removal of Guilford Dam in 2002, the canalized reach of river has resulted in an unstable channel with a lack of in stream cover and riparian buffer. This project will provide direct benefits to anadromous alewives through the planting and reestablishment of native vegetation both in the channel and along the adjacent riparian floodplain. The river's run of alewives will swim upstream through a stable channel with acceptable velocities due to the reestablished aquatic and floodplain vegetation. This river restoration project is taking place in downtown Newport, near public parks and trails, which will provide opportunities for community outreach and stewardship. Funding for this project is provided by the NOAA Community-based Restoration Program.

(This is part of EPA's 5 Star Restoration Program <http://www.epa.gov/owow/wetlands/restore/5star/fy03grants.html>)



(Continued from page 6)

In overturning the District Court's decision, the 6th Circuit handed a significant victory to environmentalists who have argued that SWANCC's impact on the CWA has not been as far-reaching as developers, mining companies and other business interests have insisted.

After the appeals court decision and other recent rulings, case law is now leaning solidly in favor of broad CWA authority, said Joan Mulhearn, an attorney with Earthjustice. "Cases like Raponos and others really put the nail in the coffin," she said.

Although the Bush administration announced in January it is contemplating a rulemaking that could officially remove certain types of waters from CWA protection, EPA spokesman John Millet said this morning no decision has been made on whether the agency will proceed with that rule change.

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## Study Confirms Sprawl Inefficient & Expensive

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(LA Times 07/23)

In a report that probably did not surprise anyone, the Surface Transportation Policy Project, a Washington, DC group promoting transportation alternatives, suggests that families living in spread-out metropolitan areas with weak public transit systems spend more of their household income on transportation than people in denser regions. In the 28 metropolitan areas studied, transportation costs consume 20 percent of every dollar earned by the average household and 40 percent of every dollar earned by the poor. The Surface Transportation Policy Project hopes the report will draw attention to congressional debates over a federal transportation bill that will provide highway and transit funding for the next six years. In the last forty years, transportation costs have been taking a bigger and bigger bite out of household incomes. In 1960, 14% of the average income was spent on transportation; today, it is 19.3%, or \$7,633 a year. Of the 28 areas examined, Tampa, Phoenix, Dallas-Fort Worth, and San Diego spent the highest percentage of their incomes on transportation. Residents of New York, a densely-populated and transit-friendly city, spent only 15.1 percent of their income on transportation costs. The study confirms that it is indeed more economical and efficient to build up rather than out.

### Support for Environmental Programs

The Institute for Conservation Leadership (ICL) and the Environmental Support Center (ESC) have researched how environmental and conservation nonprofits are confronting the current situation, or have done so in the past. To help organizations in these difficult times, ICL will provide 30 minutes of free advice to help organizations determine how they are faring, and ESC is offering small grants of up to \$3500 through its Training and Organizational Assistance program for assistance in financial management and organizational goals. For detailed information: <http://www.envsc.org/>.

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## 3rd National NPS I & E Conference

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October 20-23, 2003  
Congress Plaza Hotel  
Chicago, Illinois

cosponsored by:  
Chicago Botanic Garden  
U.S. Environmental Protection Agency

Everyone is cordially invited to attend the upcoming "3rd National Conference on Nonpoint Source Pollution Information & Education Programs." This exciting conference will provide a unique opportunity -- at a national scale -- to learn and share ideas on nonpoint source information and education strategies. The conference will explore practical, state-of-the-art examples of successful outreach programs through multi-media sessions. The conference's target audiences include nonpoint source, watershed, and TMDL program staff at the local, state, and federal levels, as well as environmental service groups that may work closely with local adult and youth education programs. Here is your opportunity to meet people with similar objectives and challenges who are concerned about building social capacity to address nonpoint source pollution, and who are working to develop creative information and education programs. Leave your "quiet" side at home and come prepared to interact!

The full Conference program, including registration information and a printable registration form, is available at <http://www.chicagobotanic.org/research/conference/nonpoint>



## Those Classy Maine Waters

By Vicki L. Schmidt, Maine DEP

*Like many states, Maine faces tough issues with regards to maintaining a vibrant economy without negatively impacting its waters. Our key businesses, wood products, agriculture, aquaculture, fishing, tourism, as well as our way of life, are intertwined with water resources. Maine's surface waters have seen substantial improvements over the last two decades and work continues to make further improvements. Geographic Information Systems (GIS) staff of the Land and Water Bureau of the Maine Department of Environmental Protection recently completed a two-year project to enhance the spatial databases of Maine's 24K surface hydrography. The GIS hydrography layers for streams, rivers, estuarine, and marine waters are now fully coded for their legal water quality classification.*

Maine's water classification laws govern how waters are managed, and as part of Maine's management strategy for 15+ years, annual bio-criteria stream and river monitoring has been compiled into databases. The first maps to show the classification of Maine's waters were made with colored highlighters and 15 minute USGS topo sheets! Though this sufficed in some ways, large watersheds that continued onto multiple topos made the data difficult, if not impossible, to display. In addition, there was no database for Maine's assigned water quality information. We could only guess how many miles of rivers or streams were in a given classification, or what percentage of a watershed was comprised of which classification.

Today, using GIS, bio-criteria sampling data from over 645 locations is easily linked with Maine's spatial water quality data. Current maps illustrate quality improvements, and document where more work is needed, while clarifying the relationships between watershed characteristics and water quality attainment. The State's objective is "to restore and maintain the chemical, physical, and biological integrity of Maine waters and to preserve certain pristine state waters". Three goals to achieve this objective were determined by the Maine State Legislature[1] as follows:

1. The discharge of pollutants into the waters of the State be eliminated where appropriate,
2. No pollutants be discharged into any waters of the State without first being given the degree of treatment necessary to allow those waters to attain their classification; and

3. Water quality be sufficient to provide for the protection and propagation of fish, shellfish and wildlife and provide for recreation in and on the water.

Further, the State is required to maintain the quality of water that attains its assigned classification, or that of a higher class.

Maine has four standards for the classification of rivers and streams (AA, A, B, C), three classes for estuarine and marine waters (SA, SB, SC), and one class for lakes or ponds (GPA). This classification system is based on water quality standards, which designate the uses and related characteristics for each class of water. The classification system further defines the water quality criteria necessary to protect those uses and related characteristics. As a water body attains a class, it is protected under the antidegradation provisions in the law.

The assigned letter quality designates the minimum level of quality intended for that body of water. This designation further directs the State's management program to achieve and protect that level of water quality. For the areas where water quality standards are not being met, goals allow for the ability to implement management programs to enhance their water quality.

The Bio-Monitoring Unit of the Bureau of Land and Water Quality has used the spatial classification data for displaying water quality improvements. The publication Biomonitoring Retrospective: Fifteen Year Summary for Maine Rivers and Streams features maps that depict historical aquatic life criteria model results, with their corresponding water quality. The data is very complex, but everyone can understand it more easily when the data is presented in cartographic form. The spatial water quality data has also been especially useful for displaying proposed reclassifications to Maine waters. Although the Legislature has sole authority to change water classifications, citizens, and others may propose waters or segments for upgrade. Having maps that show these areas, and any nearby watershed impacts to the waters, have proven helpful to the reclassification process.

What's next? The Bureau of Land and Water Quality will provide watershed and water quality data maps as part of the Comprehensive Plan Data Packages provided to towns by the Maine State Planning Office. Towns will incorporate the data and maps into their comprehensive planning processes. In addition, Water Classification data will be coded to display areas of non-attainment, which will be published with the DEP's biannual listing of impaired waters. Coding the data for specific management programs, (e.g. the Maine Construction General Permit), and publishing electronic maps, will also help citizens, and other state agencies, better manage water resources.

(Continued on page 9)



*(Continued from page 8)*

For additional information on Maine's water classification law call the Bureau at 207-287-3901, or visit the Water Classification Program website <http://www.state.me.us/dep/blwq/docmonitoring/classification/index.htm> and the Maine River Modeling and Data Reports <http://www.state.me.us/dep/blwq/docmonitoring/modelinganddatareports/index.htm> site.

A University of Maine at Farmington graduate, Vicki Schmidt is a GIS Environmental Specialist III with the Bureau of Land and Water Quality at DEP. When not making maps she is busy with her horse farm and volunteering with local fire departments. She may be reached by calling 287-7812, or e-mailing Vicki.I.schmidt@maine.gov.

[1] Maine Statute Title 38, Chapter 4-A: Classification of Maine Waters <http://janus.state.me.us/legis/statutes/38/title38sec464.html>

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## Roadside Erosion Control

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As part of the Roadside erosion control 319 project, the very last project is to do a demonstration project by stabilizing a very bad town maintained camp/gravel road in Fayette. The Echo Lake Road is about 2 miles long and is some 5 feet away from the lake in some areas. It has no shoulder nor ditches and is really bad in the winter time. This spring, the town graded the road 3 times already. So anyway, Andyvalley (Echo Lake drains into the Androscoggin River) is sponsoring a demo project. The road was split into 4 sections, about 2,000 feet, and each will be treated with a different method. All products were donated by the various suppliers.

First section is treated with ground asphalt roof shingles (Commercial Paving) and mixed into the subgrade. Second section with liquid penetration (liquid asphalt). Third section with TDS road surface treatment (similar to Earthzime) Fourth section with calcium chloride.

Except for the first one, all these treatment methods are mostly for dust control and we will be monitoring the road throughout the summer and into next year. I am anticipating great result from the grounded shingles and could be a real solution for gravel road. According to

Commercial Paving, the material is readily available and rather inexpensive.

Part of the project will be to evaluate the differences between the products and how they are fairing over time. A cost evaluation will also be performed. And all of this will be presented in a brochure.

FMI contact Marianne Hubert at Maine DEP 287-4140 or [marianne.e.hubert@maine.gov](mailto:marianne.e.hubert@maine.gov)

### Updated Catalog of Federal Funding for Watershed Protection Now Online

EPA has recently updated the Catalog of Federal Funding Sources for Watershed Protection. This Catalog is now online as an easy to use, searchable Web site. The Web site provides information for watershed practitioners and others on 84 Federal funding sources that may be available to help fund various watershed-related projects

To view the Web site, - <http://www.epa.gov/watershedfunding>.

*(Continued from page 10)*

environmental improvement or smart growth proposal, assisting a local government with exploring the use of a mediated dispute resolution process among parties, and in finding the specialized services of a mediator.

- Providing examples of smart partnerships to make land conservation and quality growth patterns feasible, through the expanding NE/EFC website and in a white paper later this year. Cases will illustrate the role of dialogues, smart partnerships, and processes to deal with obstacles and pitfalls.

Following initial contact by phone or email, an assessment of needs can be made and suggestions offered for potentially beneficial approaches, and the available resources of the EFC to assist can be discussed. To explore these possibilities, contact EFC Faculty Associate Dr. Jack Kartez at (207) 780-5389 (email at [jackk@usm.maine.edu](mailto:jackk@usm.maine.edu)), or EFC Projects Director Dr. Sam Merrill at (207) 228-8596 (email at [smerrill@usm.maine.edu](mailto:smerrill@usm.maine.edu)).

Their web site is: <http://efc.muskie.usm.maine.edu/>



# New Engl and Environmental Finance Center

*(Editors note: The New England Environmental Finance Center is a cooperative effort of EPA/New England and the Edmond S. Muskie School of Public Service.)*

## Services

All current NE/EFC projects are designed as services to one or more of EPA Region 1's various constituencies. In developing our programs, we identify research, education, and technical assistance needs of an array of possible clients, from land trusts, developers, and municipalities, to state governments and branches of the Federal government. Projects are then created that provide a range of services, all of which provide benefits to residents throughout New England and the nation.

Some of our projects are more like services as they are conventionally considered – that is, they are tailored to needs of individual organizations or local governments, rather than to the needs of a New England state or the nation as a whole. We bundle these efforts (see list below) under the title "Collaborative Environmental Services," which involve assistance in facilitating local dialogues and exploration of creative ways to make needed conservation and development actions feasible, financially and otherwise.

Opportunities for NE/EFC assistance are greatest when there is already some common recognition of both the problem to be solved and the general approach needed, but where community decisions about "smart growth" and other departures from business-as-usual are presenting additional challenges. In these situations, we have observed that excellent opportunities exist for creative partnering to respond effectively to urgent needs of both conservation and development.

An example is the emerging type of development project where partners -- including land trusts, local governments, and a housing developer -- jointly devise a package where permanent open space can meet conservation, water quality, and habitat protection needs while being integrated with successful, "smart" development, placing less of a burden on public services, taxpayers, and environmental services in the long run. Financing of this kind of collaborative project may involve mixtures of dedications of land by the investor, purchases of easements by a conservation group, joint management arrangements for long-term land stewardship, and provision of key public facility investments or incentives by the local government and/or state agencies.

But there are obstacles to these approaches. Uncertainty and unfamiliarity concerning new types of growth patterns and "smart growth" can generate hesitancy towards new alternatives. Before they become involved, potential partners also want to see how the economic outcomes of these "innovative" strategies will stack up.

Examples of our services include:

- Giving presentations on the dynamics, potential benefits, and pitfalls of collaborative partnerships in land conservation and development projects.
- Organizing peer exchanges in which innovative project partners describe their approaches and discuss a locality's own situation.
- Helping structure a dialogue among possible project partners about key problems, possible approaches, and working relationships among the parties. These events can take the form of facilitated meetings, larger forums, or hands-on charities and training workshops among multiple sectors of the community.
- In situations where there is a more sharply defined conflict about a specific

*(Continued on page 9)*

## Scenic Impact Rules

On June 5th, the Board of Environmental Protection (BEP) voted to adopt Chapter 315, Assessing and Mitigating Impacts to Existing Scenic and Aesthetic Uses. This new rule will apply to activities requiring approval under individual Natural Resource Protection Act permits or Tier 3 Wetland Alteration permits. Chapter 315 was developed to provide a framework for decision-making under an existing NRPA standard using three primary visual elements: landscape compatibility, scale contrast, and spatial dominance. These elements provide the basis for translating observations and information on the location and potential visibility of NRPA activities into a final analysis of "unreasonableness." This rule assures some level of consistency, while allowing for critical thinking during the regulatory process. Chapter 315 reflects standard practices in the field of visual assessment, and applies those to protect Maine's unique natural resources deemed to have great scenic beauty. Maine is on the forefront by being the first to adopt state-wide regulations specific to these types of impacts.

Contact: Judy Gates at  
Maine DEP 287-7691



## **Outcome – NPS Grants Request For Proposal s**

*FFY 2004 Grants for Nonpoint Source Water Pollution Control Projects*

The Maine Department of Environmental Protection plans to provide grants for 10 NPS projects to help restore or protect lakes, streams, or coastal waters that are impaired or considered threatened by polluted runoff. NPS projects help local communities recognize water pollution sources in watersheds and take action to restore or protect clean water. NPS grants will be funded with anticipated federal fiscal year 2004 monies provided to Maine by the EPA under Section 319 of the Federal Clean Water Act. DEP issued the RFP on March 12, 2003 and received 24 proposals On May 7<sup>th</sup> requesting at total of 1.3 million dollars. The 24 proposals were generally very strong. This response demonstrates that local community-based partnerships value clean water and are recognizing and finding solutions to NPS problems. An interagency review committee (DEP, UMCE, EPA, and State Planning Office) evaluated and scored all proposals. Based on the planned allocation of 319 funds, DEP anticipates it will have sufficient monies to grant funds for only the 10 highest ranked projects. Unfortunately many excellent proposals could not be funded. DEP is working with project sponsors to revise work plans as needed to secure final approval. Grant awards and project start-ups are scheduled for April 2004. FMI, Contact Norm Marcotte, DEP 207-287-7727 or email: norm.g.marcotte@maine.gov

### **Proposals Summary**

<i><b>Project Type</b></i>	<i><b>RFP Allocation Target</b></i>	<i><b>Funds Requested</b></i>	<i><b>Funds to be Awarded</b></i>
Watershed Projects	\$520,000	\$994,919 15 proposals	\$491,788 6 proposals
Watershed Surveys or Watershed Management Plans	\$140,000	\$281,446 9 proposals	\$124,235 4 proposals

### **Projects to be Awarded NPS Grants in 2004**

<i><b>Proposal Title</b></i>	<i><b>Sponsor</b></i>	<i><b>Budget</b></i>		
		<i>Grant</i>	<i>Match</i>	<i>Total</i>
<i>NPS Watershed Projects</i>				
Togus Watershed NPS Reduction Project	Kennebec County SWCD	85,198	57,644	142,842
Messalonskee Lake Watershed NPS Remediation Project, Phase I	Belgrade Regional Conservation Alliance	74,730	53,640	128,370
Forest Lake Conservation Project, Phase I	Cumberland County SWCD	59,635	49,715	109,350
Little Sebago Lake Conservation Project, Phase I	Cumberland County SWCD	99,839	75,104	174,943
Highland Lake Conservation Project, Phase II	Cumberland County SWCD	138,636	99,795	238,431
Clary Lake NPS Pollution Control Project	Knox-Lincoln SWCD	33,750	22,500	56,250
<i>Watershed Management Plans or Surveys</i>				
Piscataqua River (East Branch) Watershed Survey	Presumpscot River Watch	14,020	9,850	23,870
Maranacook Lake Watershed Management Plan Development	Cobboossee Watershed District	25,066	27,319	52,385
Project to Develop a Sheepscot River Watershed Management Plan	Time & Tide Resource Conservation & Development	62,565	42,490	105,055
Great Works River Watershed Management Plan	York County SWCD	22,584	15,915	39,499
<b>totals</b>		<b>616,023</b>	<b>453,972</b>	<b>1,070,995</b>



## Calendar of Events

October 20-23, 2003. 3rd National NPS I & E Conference. Chicago. FMI [www.chicagobontanic.org/reasearch/conference/nonpoint](http://www.chicagobontanic.org/reasearch/conference/nonpoint)

November 3-5, 2003. Stormwater Management in Cold Climates: Planning, Design, and Implementation. Holiday Inn by the Bay, Portland, Maine. FMI [www.cascobay.usm.maine.edu/coldsw.html](http://www.cascobay.usm.maine.edu/coldsw.html) or call the Casco Bay Estuary Project at (207) 780-4820.

November 4-8, 2003. NALMS (North American Lake Management Society). Connecticut. (Yes NALMS returns to east coast!). FMI [www.nalms.org](http://www.nalms.org)

## Resources Available

**Erosion and Sediment Control BMPs Manual.** 2003. The new manual can be found at: <http://www.state.me.us/dep/blwq/docstand/escbmps/index.htm>. The manual will be given away to other agency staff, to non-profit organizations and towns. Contractors and consultants will need to purchase the manual through Bill LaFlamme (287-7726) or download it from the web.

### Web Site of Interest

Puget Sounds NPS Outreach materials: [http://www.psat.wa.gov/Programs/Pie\\_Ed/Water\\_Ed\\_Materials.htm](http://www.psat.wa.gov/Programs/Pie_Ed/Water_Ed_Materials.htm)

This newsletter is prepared especially for those involved in non-point source pollution issues. It is funded through an EPA 319 Clean Water Act Grant. If you have any announcements, comments or items for the Nonpoint Source Times, or if you would like to be added to the mailing list, please call or write:

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